CITY COUNCIL AGENDA REQUEST FORM

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request: Jennifer Stapleton, City Administrator Address: 1123 Lake Street Phone number and email address: 208-265-1483;jstapleton@sandpointidaho.gov Authorized by: Jennifer Stapleton City official's signature name of City official (Department Heads, City Council members, and the Mayor are City officials.) Subject: Sandpoint Downtown Streets Transfer of Ownership Summary of what is being requested: City staff request approval of a Quit Claim Deed from the Idaho Transportation Department to transfer Sandpoint Downtown Streets to Sandpoint The following information MUST be completed before submitting your request to the City Clerk: \checkmark 1. Would there be any financial impact to the city? Yes or No If yes, in what way? 2. Name(s) of any individual(s) or group(s) that will be Have they been contacted? directly affected by this action: Yes or No 3. Is there a need for a general public information or public involvement plan? Yes or No If yes, please specify and suggest a method to accomplish the plan: 4. Is an enforcement plan needed? Yes or No Additional funds needed? Yes or No 5. Have all the affected departments been informed about this agenda item? Yes or No This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM



AGENDA REPORT

DATE: January 11, 2018

TO: MAYOR AND CITY COUNCIL

FROM: Jennifer Stapleton, City Administrator

SUBJECT: ITD Quit Claim Deed

DESCRIPTION/BACKGROUND:

The Idaho Transportation Department completed its upgrades and work to revert Pine, First and Cedar streets to two-way traffic in the Spring of 2017. This Quit Claim Deed represents the official transfer of responsibility of these streets to the City of Sandpoint as agreed between the two agencies.

STAFF RECOMMENDATION: Approve

ACTION: Approve the Quit Claim Deed as presented by the Idaho Transportation Department and authorize the Mayor to sign

WILL THERE BE ANY FINANCIAL IMPACT? NO HAS THIS ITEM BEEN BUDGETED?

ATTACHMENTS:

No: 15-17

Date: February 11, 2015

RESOLUTION OF THE CITY COUNCIL CITY OF SANDPOINT

TITLE: AGREEMENTS BETWEEN IDAHO TRANSPORTATION DEPARTMENT AND CITY OF SANDPOINT FOR CONVERSION OF FIFTH AVENUE TO TWO-WAY OPERATION BETWEEN CEDAR STREET AND PINE STREET AND THE STATE'S RELINQUISHMENT AND TRANSFER OF OWNERSHIP OF FIRST AVENUE, CEDAR STREET, PINE STREET, AND SUPERIOR STREET TO THE CITY

WHEREAS: The State of Idaho is programming and funding the design and construction of a revised US-2 reconfiguration between Pine Street and Cedar Street in Sandpoint, including the conversion of Fifth Avenue to a two-way roadway;

WHEREAS: With the reconfiguration of Fifth Avenue, the portions of Cedar Street, First Avenue, Pine Street and Superior Street currently in the state highway system will no longer be needed by the State and will become surplus real property that the State will transfer to the City, pursuant to Idaho Code § 58-335A;

WHEREAS: The parties mutually agree that it is in the public interest for the State of Idaho to realign US-2 and to relinquish jurisdiction and transfer ownership of the referenced surplus roadways to the City; and

WHEREAS: The City encourages the Idaho Transportation Department to reconstruct Fifth Avenue between Cedar Street and Pine Street to City standards.

NOW THEREFORE, BE IT RESOLVED THAT: The Mayor is hereby authorized, on behalf of the City, to enter into the Road Relinquishment and Transfer of Ownership Agreement and the Cooperative Agreement with the Idaho Transportation Department, copies of which are attached hereto and made a part hereof as if fully incorporated herein.

ATTEST:

Maree Peck, City Clerk

City Council Members:

•			YES	NO	ABSTAIN	ABSENT
1.	Eddy	Second	X			
2.	Rognstad	Motion	X			
3.	Aitken					Χ
4.	Williamson		X			
5.	Camp			X		
6.	Fragoso		X			

ROAD RELINQUISHMENT AND TRANSFER OF OWNERSHIP AGREEMENT US-2, Construction; and Relinquishment and Transfer of Sandpoint Downtown Streets

PARTIES

THIS AGREEMENT is made and entered into this alored day of March, 2015, by and between the IDAHO TRANSPORTATION BOARD, through its agency, the IDAHO TRANSPORTATION DEPARTMENT, hereafter called the STATE, the CITY OF SANDPOINT, a municipal corporation, hereafter called the CITY.

PURPOSE

The purpose of this agreement is to establish the expectations of the STATE and the CITY in regards to the reconfiguration of US-2 in Sandpoint. The STATE is programming and funding the design and construction of a revised US-2 reconfiguration between Pine Street and Cedar Street in Sandpoint, Idaho. Under the proposed construction, Fifth Avenue will be converted to a two-way roadway which will handle all US-2 traffic in the immediate area of downtown Sandpoint. Following the construction of the new US-2 reconfiguration on Fifth Avenue, it is the desire of the STATE to remove portions of Cedar Street, First Avenue, Pine Street and Superior Street from the state highway system, as depicted in Exhibit A of this agreement. With the reconfiguration on Fifth Avenue, the portions of Cedar Street, First Avenue, Pine Street and Superior Street currently in the state highway system will no longer be needed for the state highway system and will become surplus real property that the State will transfer to the City pursuant to Idaho Code section 58-335A. Further, it is the desire of the CITY to accept, improve and incorporate these streets into the CITY system to provide for two-way traffic. The parties mutually agree that it is in the public interest for the STATE to realign US-2 and for the STATE to relinquish jurisdiction and transfer the ownership the referenced surplus roadways to the CITY.

AUTHORITY

The State effects the reconfiguration of Fifth Avenue and relinquishes jurisdiction of those portions of Cedar Street, First Avenue, Pine Street and Superior Street currently in the state highway system pursuant to Idaho Code section 40-310. The City accepts jurisdiction of the relinquished streets pursuant to the Idaho Code 40-203B. Further, the State transfers ownership of those portions of Cedar Street, First Avenue, Pine Street and Superior Street pursuant to Idaho Code 58-335A.

The Parties agree as follows:

SECTION 1 That the STATE will, subject to ITD Board approval and programming of a project:

- Construct and assume all costs of right-of-way acquisition, construction and engineering of the revised US-2 project, including excavation and grading, signal installation, surfacing, drainage, signs and miscellaneous items necessary to complete the work, excepting those items hereafter stated as obligations of the CITY.
- 2. Involve the CITY in the planning and design phases of the reconfiguration of Fifth Avenue. The STATE will retain the exclusive authority to make a final determination regarding the reconfiguration of Fifth Avenue as part of US-2.

- 3. Designate the revised route, as shown on Exhibit A, as US-2, from MP 28.515 to MP 28.725.
- 4. Provide one-time striping and traffic control for two-way operation for those portions of Cedar Street, Pine Street, and First Avenue identified in Exhibit A.
- Upon completion of the US-2 reconfiguration discussed above, relinquish and transfer ownership of, by quit claim deed, those portions of Cedar Street, First Avenue, Pine Street and Superior Street currently in the state highway system.
- 6. Once relinquished and transferred to the City, the State will have no further duties, obligations or responsibilities concerning those portions of Cedar Street, First Avenue, Pine Street and Superior Street currently in the state highway system.

SECTION II That the CITY will:

- 1. Agree to the general design of the proposed reconfiguration of US-2, as shown on Exhibit B.
- Following completion of the project, accept the jurisdiction and ownership of, and responsibility
 for, in full and every respect, those portions of (Pine Street, First Avenue, Cedar Street, and
 Superior Street), all as shown on Exhibit A, including the right-of-way appurtenant thereto, by
 means of a duly authorized and executed resolution of the City.
- 3. Assume all energy costs associated with the operations of traffic signals on US-2, within the project limits.
- The CITY will coordinate the conversion of Church Street to two-way traffic so as to concurrently open to traffic with the completion of the above referenced US-2 construction done by the STATE.
- 5. The CITY acknowledges that the minimum performance level that US-2 will be permitted to experience during the AM or PM peak hour is a Level of Service "D" as defined by the Transportation Research Board, Highway Capacity Manual 2010. Priority shall always be given to the mainline US-2 traffic and delay will not be adjusted on US-2 to improve mobility on the side streets if the minimum peak hour performance Level of Service "D" is not being met on US-2 as outlined in the separate cooperative agreement.

SECTION III All parties agree that:

In the event that approval for the project from the Idaho Transportation Board is not granted, or that funding is not available prior to the advertisement for construction of the project, this agreement becomes void. This agreement nullifies and voids all previous agreements, within the project limits, between the **STATE** and the **CITY**.

IDAHO TRANSPORTATION DEPARTMENT

BRIAN NESS

Director

ATTEST:

Marce Peck
City Clerk

(SEAL)

CITY OF SANDPOINT

ARRIE LOGAN

Mayor

By regular/special meeting on:

February 11,2015



IDAHO TRANSPORTATION DEPARTMENT



600 W. Prairie Ave. Coeur d'Alene, ID 83815-8764

(208) 772-1200 itd.idaho.gov

November 27, 2017

Project No. A019(172) Key No. 19172 Parcel No. 9 Parcel ID No. 50600

City of Sandpoint Attn: Shelby Rognstad, Mayor 1123 Lake Street Sandpoint, ID 83864

RE: Road Relinquishment and Transfer of Ownership Agreement, US-2, Construction; and Relinquishment and Transfer of Sandpoint Downtown Streets. Dated March 26, 2015.

Dear Mayor Rognstad:

Enclosed is the Quitclaim Deed to transfer the Sandpoint City Streets to the City of Sandpoint. Please sign the deed for acceptance. Please record the deed and provide ITD with an electronic copy.

Thank you,

Yourse a Dongmen

Yvonne Dingman

Senior Right of Way Agent

(208) 772-1215

yvonne.dingman@itd.idaho.gov

Enclosure

After recording return to: Right of Way Idaho Transportation Dept. PO Box 7129 Boise ID 83707-1129

Project No. A019(172) Key No. 19172 Parcel No. 9 Parcel ID No. 50600

QUITCLAIM DEED

THIS INDENTURE is made this ______ day of November, 2017, by and between the STATE OF IDAHO, IDAHO TRANSPORTATION BOARD, by and through the IDAHO TRANSPORTATION DEPARTMENT ("Grantor"), whose address is 3311 West State Street, Boise, Idaho 83703, and the CITY OF SANDPOINT, a municipal corporation ("Grantee"), whose address is 1123 Lake Street, Sandpoint, Idaho 83864.

WITNESSETH: That Grantor, for value received, does, by these presents, remise, release, convey and forever QUITCLAIM unto Grantee the following described real property situated in the County of BONNER, State of Idaho, to-wit:

SEE LEGAL DESCRIPTION ON **EXHIBIT A** ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Together with all appurtenances, easements and rights of way.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal the day and year first above written.

GRANTOR:

STATE OF IDAHO, IDAHO TRANSPORTATION BOARD, by and through the IDAHO TRANSPORTATION DEPARTMENT

By:

JUSTIN POND, Right of Way Program Manager

Project No. A019(172) Key No. 19172 Parcel No. 9							
Parcel ID No. 50600							
STATE OF IDAHO)) ss.						
County of ADA)						
and for said State, personall of Way Program Manager fo instrument on behalf of said such Idaho Transportation D	November, 2017, before me, the undersigned, a Notary Public in y appeared JUSTIN POND, known or identified to me to be the Right or the IDAHO TRANSPORTATION DEPARTMENT, who executed the Idaho Transportation Department and acknowledged to me that department executed the same. OF, I have hereunto set my hand and affixed my official seal the day rest above written. Notary Public for IDAHO Residing at Soise, Mako My commission expires 19/20/20/8						
ACCEPTED this day of	, 2017.						
CITY OF SANDPOINT, a municipal corporation.							
SHELBY ROGNSTAD, Mayor	ATTEST:						

Idaho Transportation Department US-2, Pine St. to Cedar St., Sandpoint Project No. A019(172) Key No. 19172 Parcel No. 9 Parcel ID No. 50600 Nov. 15, 2017 Page 1 of 2 (15 pages of Exhibits)

Road Relinquishment Description

All those portions of Sandpoint City Streets Rights of Way commonly known to be Superior Street, 1st Avenue, Cedar Street and Pine Street (See Exhibit A) and as shown on the Official "As-Built" plans for Idaho Transportation Department Project "US 95, Sandpoint, North & South", Key Number 1729, on sheets 162 thru 168 signed and dated 3-25-05(See Exhibit B), located in the Northwest Quarter of the Southwest Quarter of Section 23 and the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter, of Section 22, all in Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho, and more particularly described as follows:

Commencing at a point representing the West Quarter Corner of said Section 23, said point bearing North 89°44′53" West a distance of 66.41 feet, from an existing 2 1/2 inch Zinc cap Witness Corner on the East bank of Sand creek, according to Corner Perpetuation and Filing Record Instrument No. 520762, said point also being 330.78 feet left of Project Centerline Station 98+31.540, as shown on the Official RW plans for Idaho Transportation Department Project "US-95, Sandpoint, North & South", Key Number 1729 and as shown on the Record of Survey for the Idaho Transportation Department filed for Record in the office of the County Recorder of Bonner County, under Instrument No. 490535 and from which the Northwest Section Corner of said Section 23, according to a Corner Perpetuation and Filing Record Instrument dated 9-25-1984, bears North 00°26'29" East, as shown on said Idaho Transportation Department RW plans;

Thence leaving said West Quarter Corner in a Southerly direction and along the Westerly line of said Section 23, to the intersection of said Westerly line and the centerline alignment of Ramp H-E, as shown on the Official "As-Built" plans for Idaho Transportation Department Project "US 95, Sandpoint, North & South", Key Number 1729, on sheet 231 of 695 signed and dated 7-18-07, at approximate Centerline station 7+09.00 (See Exhibit B);

Thence along said centerline South 89°36'36" East, to a point labeled "End Construction - Ramp H-E" located at Centerline station 6+42.615 (See Exhibit B), and being **THE POINT OF BEGINNING**;

Thence along the former Route of US-95, the following three (3) courses:

- 1) Westerly along Superior Street to the intersection with 1st Avenue, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B);
- 2) Thence Northerly along 1st Avenue to the intersection with Cedar Street, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B);

Idaho Transportation Department US-2, Pine St. to Cedar St., Sandpoint Project No. A019(172) Key No. 19172 Parcel No. 9 Parcel ID No. 50600 Nov. 15, 2017 Page 2 of 2 (15 pages of Exhibits)

3) Thence Westerly along Cedar Street, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B), to the intersection of Cedar Street and the Easterly Right of Way of US-95/US-2/5th Avenue at Project Centerline station 62+20.35 as shown on the Official RW plans for Idaho Transportation Department Project "US-2, Pine St. to Cedar St., Sandpoint", Key Number 19172 and signed and dated 12-02-15, **The Point of Termination**. (See Exhibit C)

AND together with the following described Route:

- 1) Commencing from the previously described **POINT OF BEGINNING**, thence Westerly along Superior Street to the intersection with 1st Avenue, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B);
- 2) Thence Northerly along 1st Avenue to the intersection with Pine Street, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B);
- 3) Thence Westerly along Pine Street, as shown on said Idaho Transportation Department "As Built" plans (See Exhibit B), to the intersection of Pine Street and the Easterly Right of Way of US-95/US-2/5th Avenue at Project Centerline station 19+86.70 as shown on the Official RW plans for Idaho Transportation Department Project "US-2, Pine St. to Cedar St., Sandpoint", Key Number 19172 and signed and dated 12-02-15, <u>The Point of Termination</u>. (See Exhibit C)

Said **POINT OF BEGINNING** to be extended perpendicularly or at 90 degree angles to intersect the existing RW lines of US-95/Superior Street.

END OF DESCRIPTION

15685

License No. 15685

Matthew D. Wilson

Exhibit A

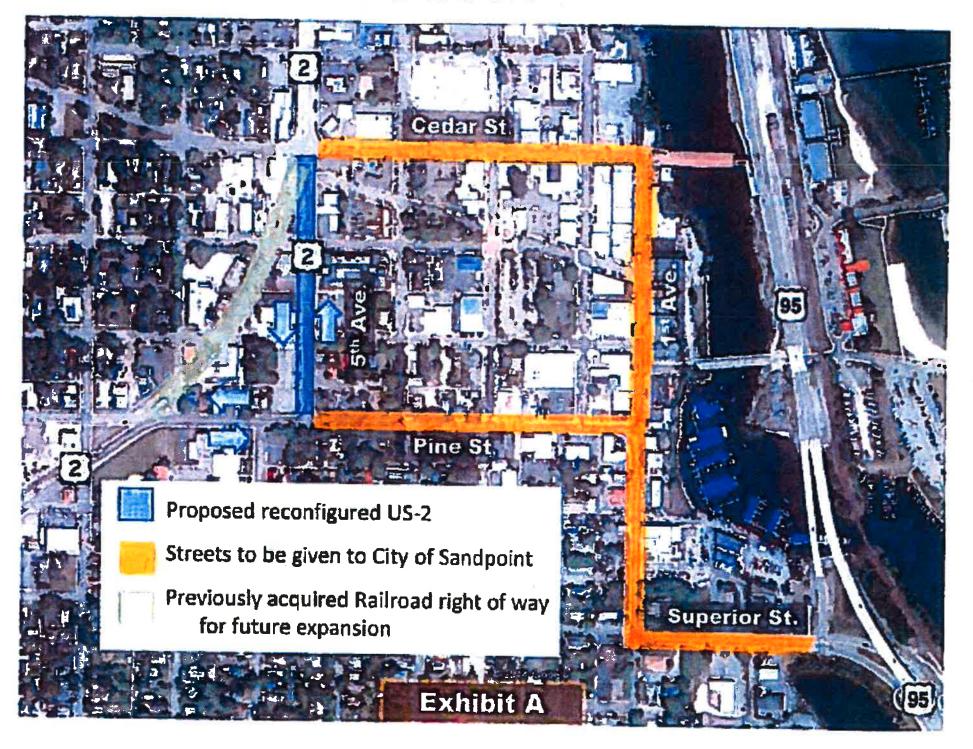


Exhibit B (1 of 8)

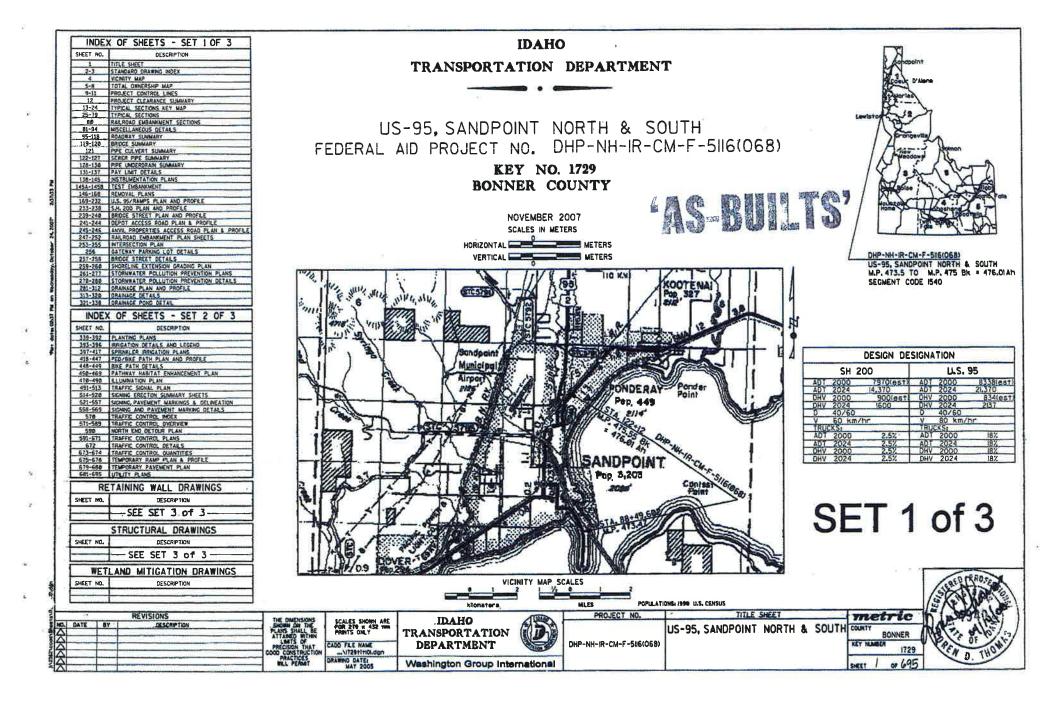


Exhibit B (2 of 8)

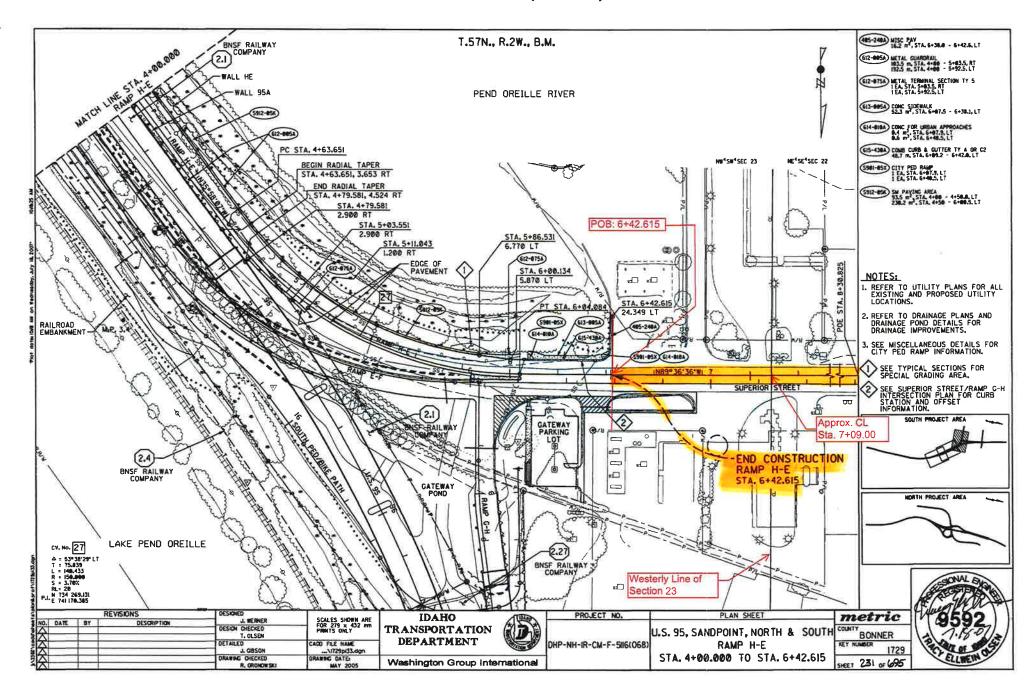


Exhibit B (4 of 8)

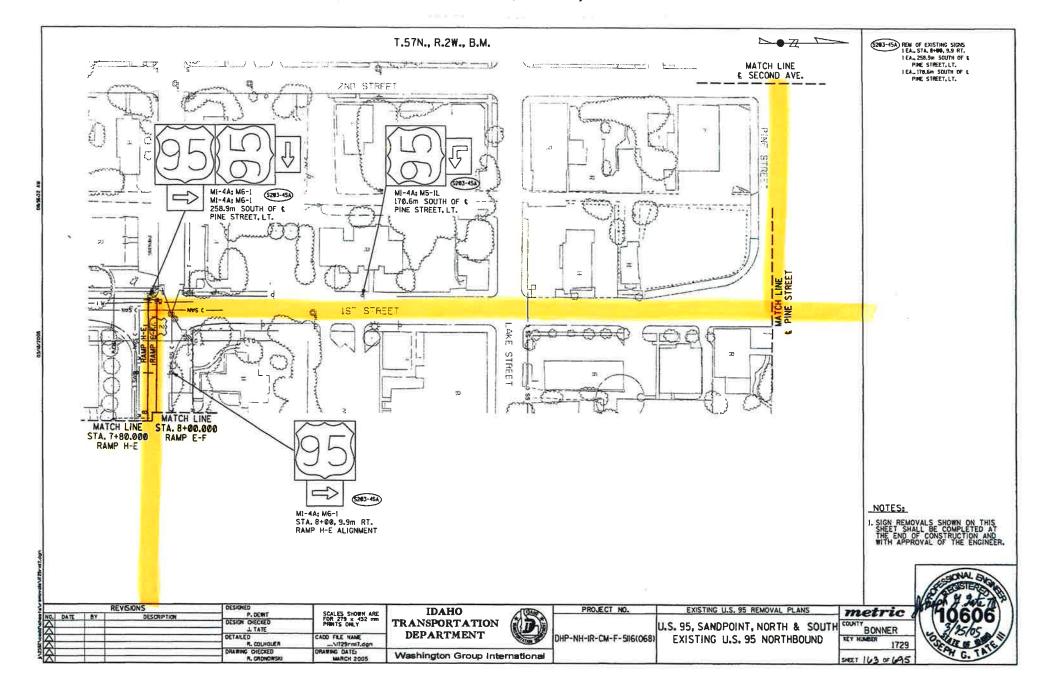


Exhibit B (3 of 8)

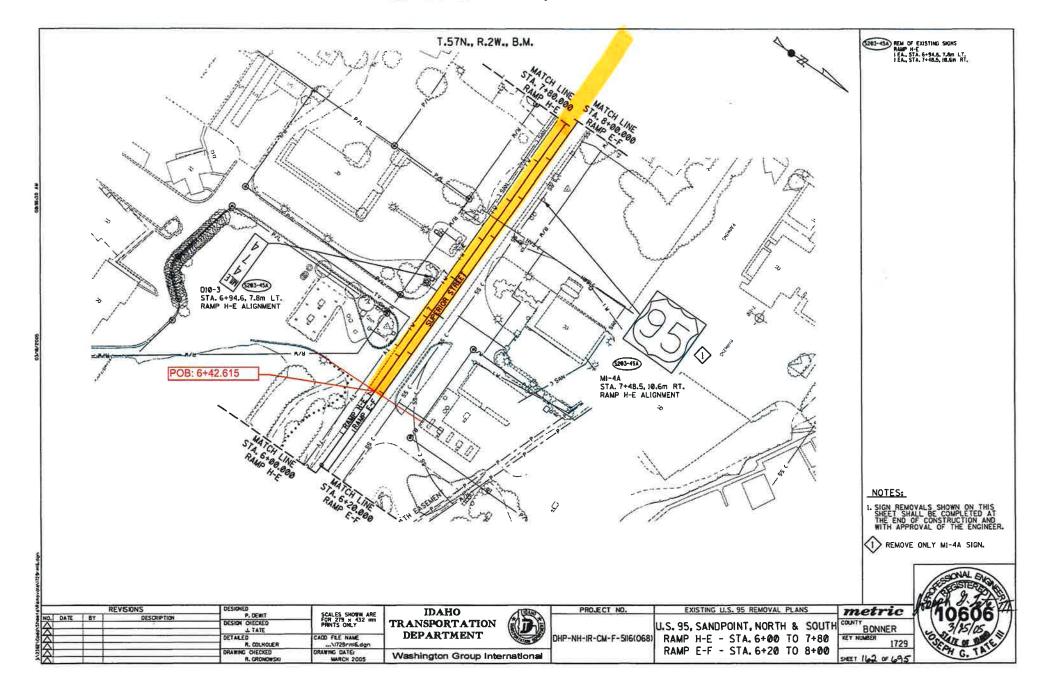


Exhibit B (5 of 8)

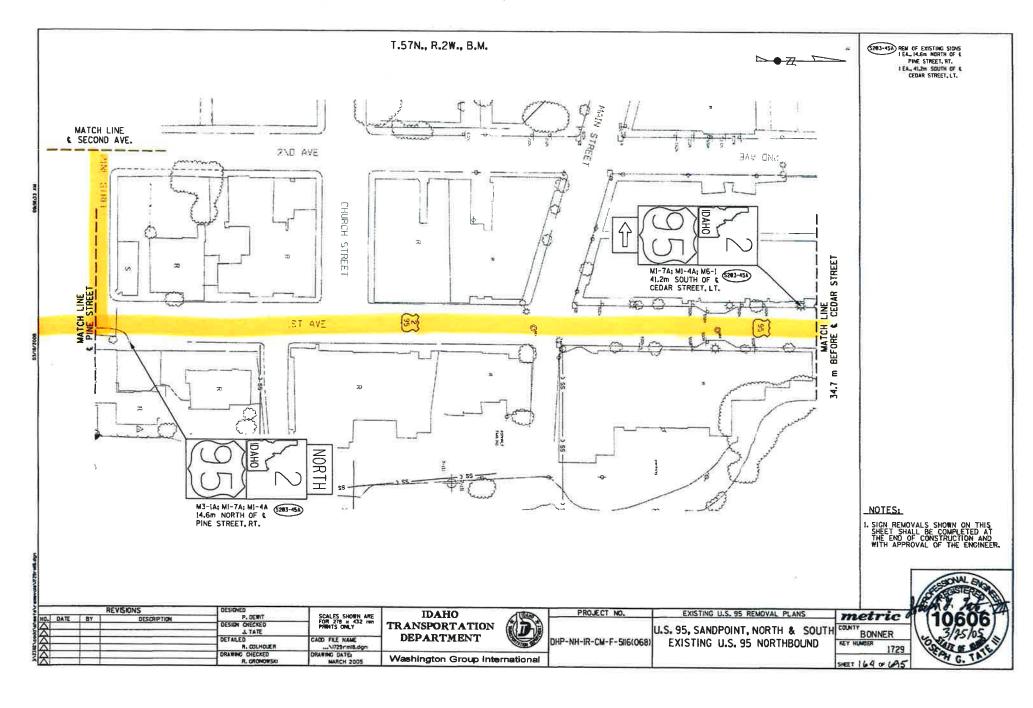


Exhibit B (6 of 8)

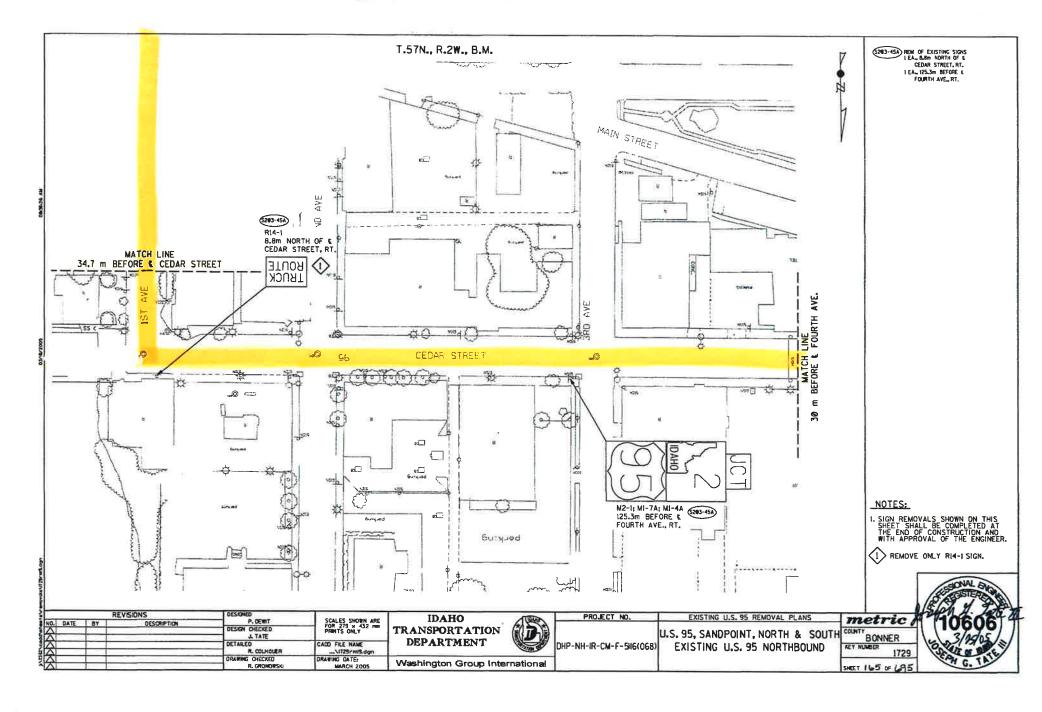


Exhibit B (7 of 8)

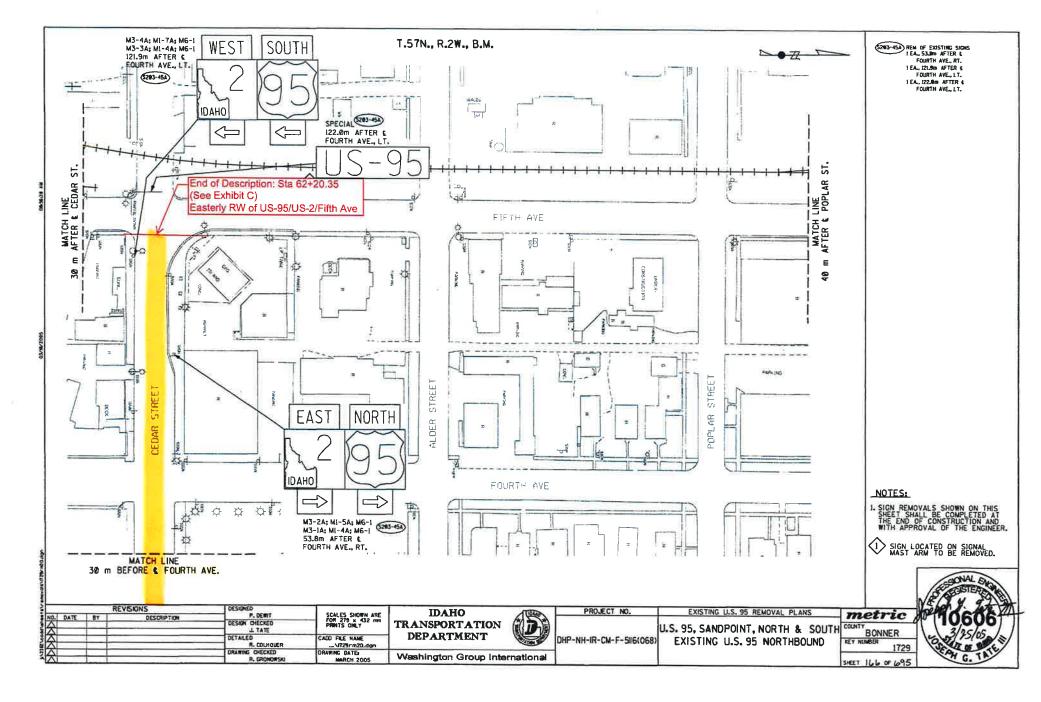


Exhibit B (8 of 8)

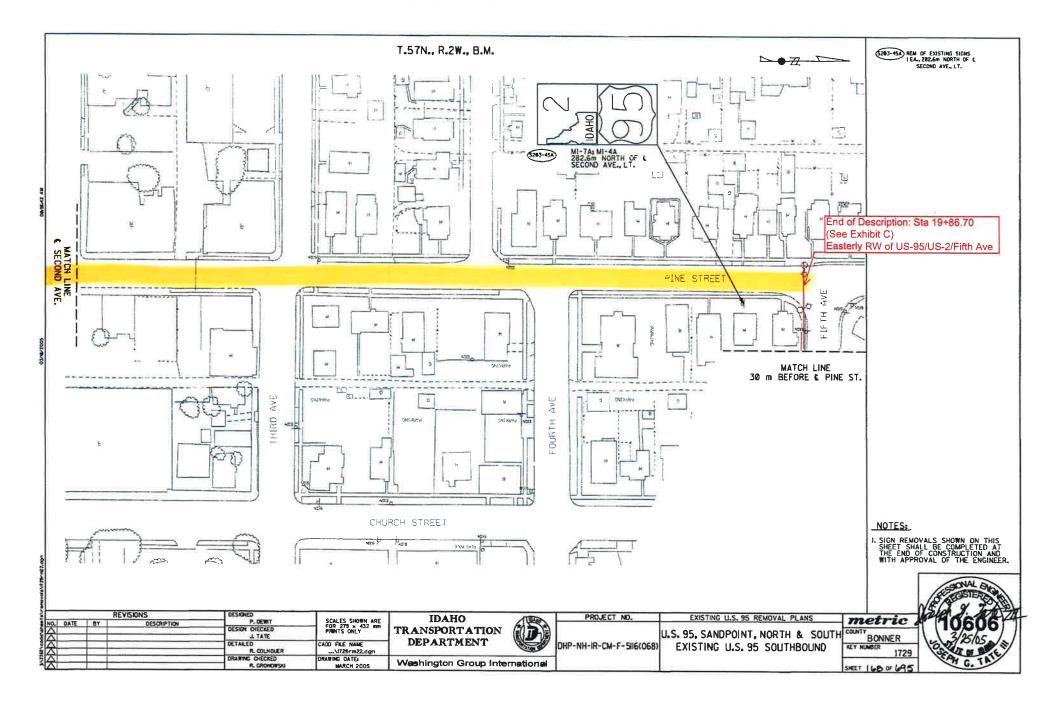


Exhibit C (1 of 6)

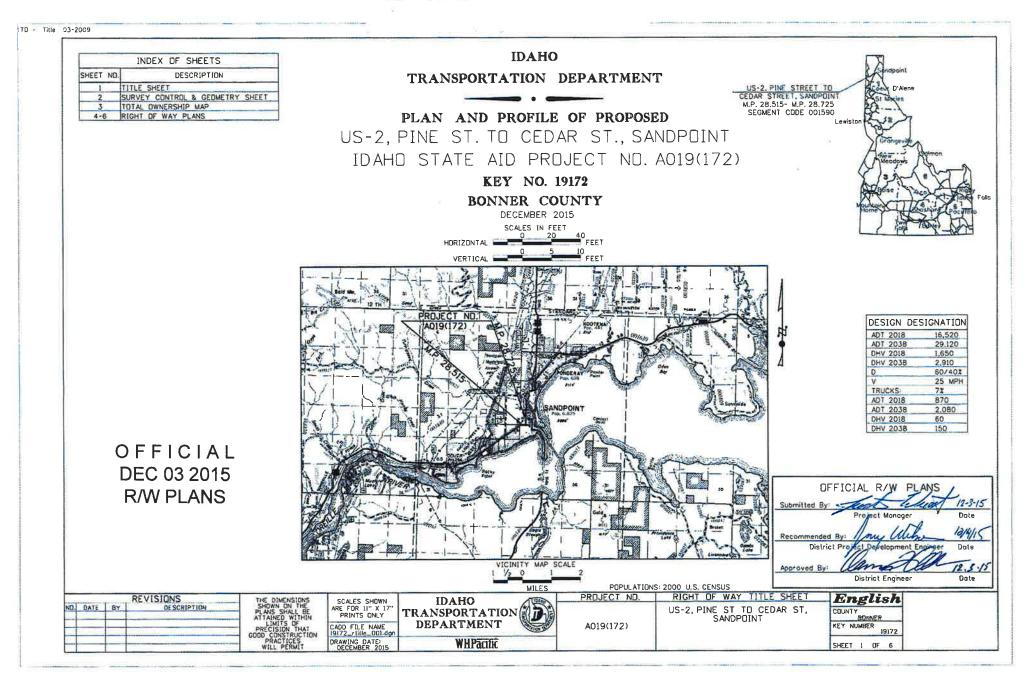
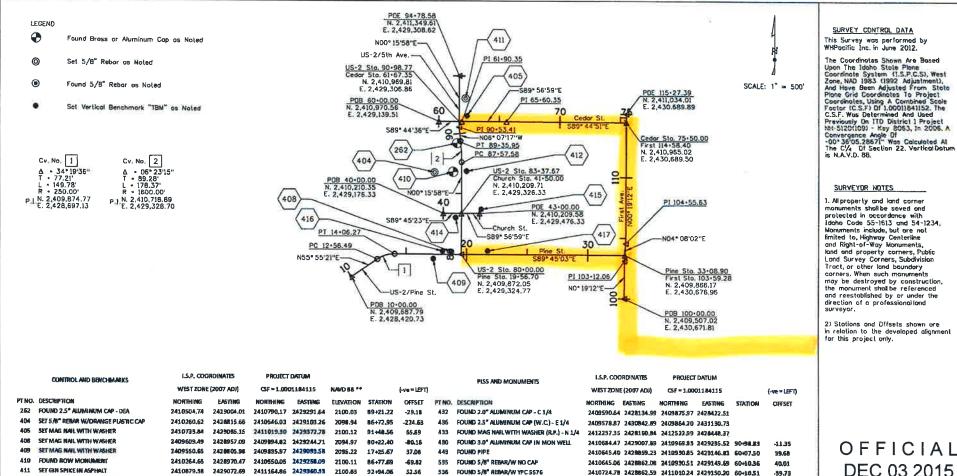


Exhibit C (2 of 6)



1. All property and land corner monuments sholl be seved and

protected in occordance with Idoho Code 55-1613 and 54-1234. Monuments include, but are not firmited to, Highway Centerline and Right-of-Way Monuments, land and property corners, Public Land Survey Corners, Subdivision Tract, or other land boundary corners. When such monuments may be destroyed by construction, the monument shall be referenced and reestablished by or under the

2) Stations and Diffsets shown are in relation to the developed alignment

OFFICIAL DEC 03 2015

R/W PLANS

** ELEVATIONS DETERMINED BY DIFFERBITIAL LEVELING FROM POINT 262 - DEA 2.5" ALUMINUM CAP

SET MAG NAIL WITH WASHER

SET MAG NAU WATH WASHER

SET MAG MAIL WITH WASHER

SET CHISELED "X" IN SIDEWALK

SET CHISELED "X" IN SIDEWALK

412

414

416

REVISIONS			REVISIONS	DESIGNED	SCALES SHOWN	IDAHO	
).	DATE	BY	DESCRIPTION	DESIGN CHECKED J. Werner	ARE EDD 11" V 17"	TRANSPORTATION	
				DETAILED T. Conklin	CADD FILE NAME 19172_scnt_001.dgn	DEPARTMENT	
-	-	-		DRAWING CHECKED A. Kempe	DRAWING DATE: DECEMBER 2015	WHPacific	

2409890.61 2428990.95

2409958.14 2429202.10

2409614.95 2429255.49

2410555.66 2429368.15

2410175.97 2429278,57

2410243.50 2429489.75 2095.25

2409498.17 2429170.26 2094.98

7409900.28 2429543.14 2094.24

2098.59

40.21

-47.6

163,25

-154.63

540

541

FOUND 2.5" ALIMINUM CAP (8" R.P.)

FOUND 2.5" ALUMINUM CAP (8' R.P.)

A019(172)

542 FOUND 5/8" REBAR/W YPC 5576

86+85.81

83+03.70

83+72.22

80425.41

PROJECT NO. SURVEY CONTROL & GEDMETRY SHEET US-2, PINE ST TO CEDAR ST.

2410338.19 2429005.97 2410623.61 2429293.60 87-51.41

2410338,79 2429016.03 2410624,21 2429303.65 87+52,05

241010658 2429009.54 2410391.96 2429297.17 85+19.79

SANDPOINT

English KEY NUMBER 19172 SHEET 2 OF

-34.66

-24.61



Exhibit C (3 of 6)

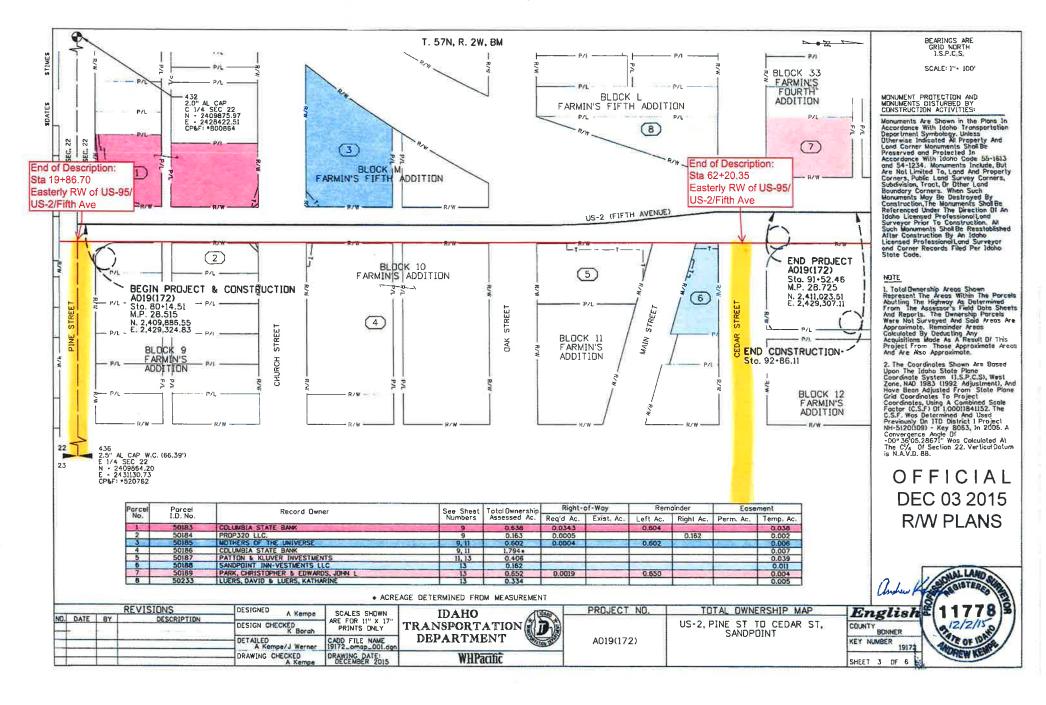


Exhibit C (4 of 6)

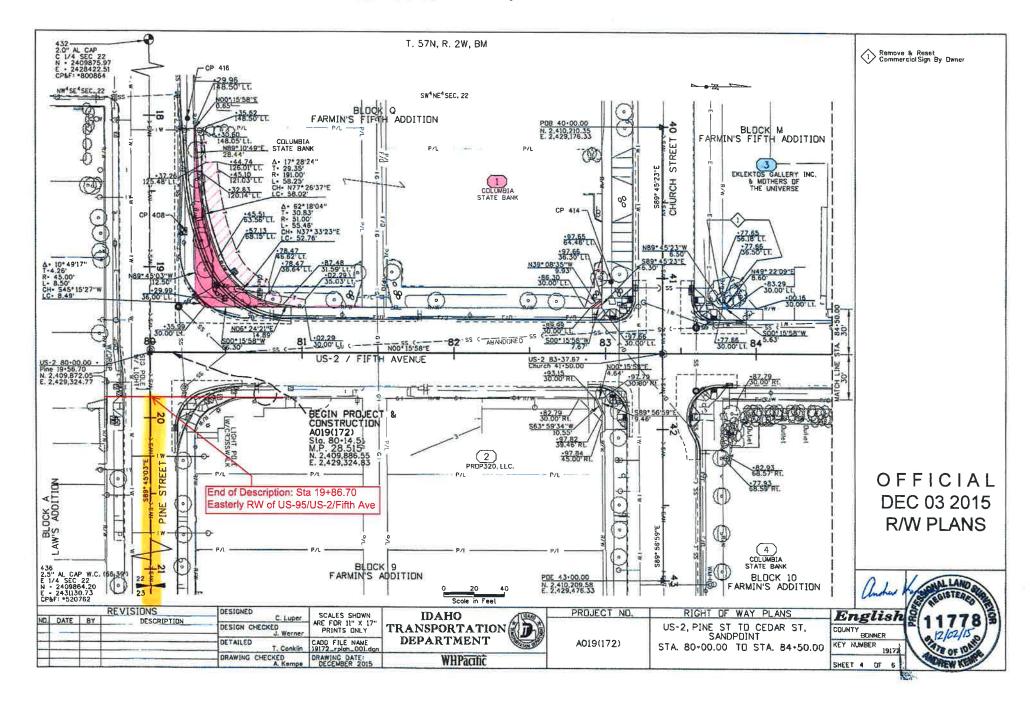


Exhibit C (5 of 6)

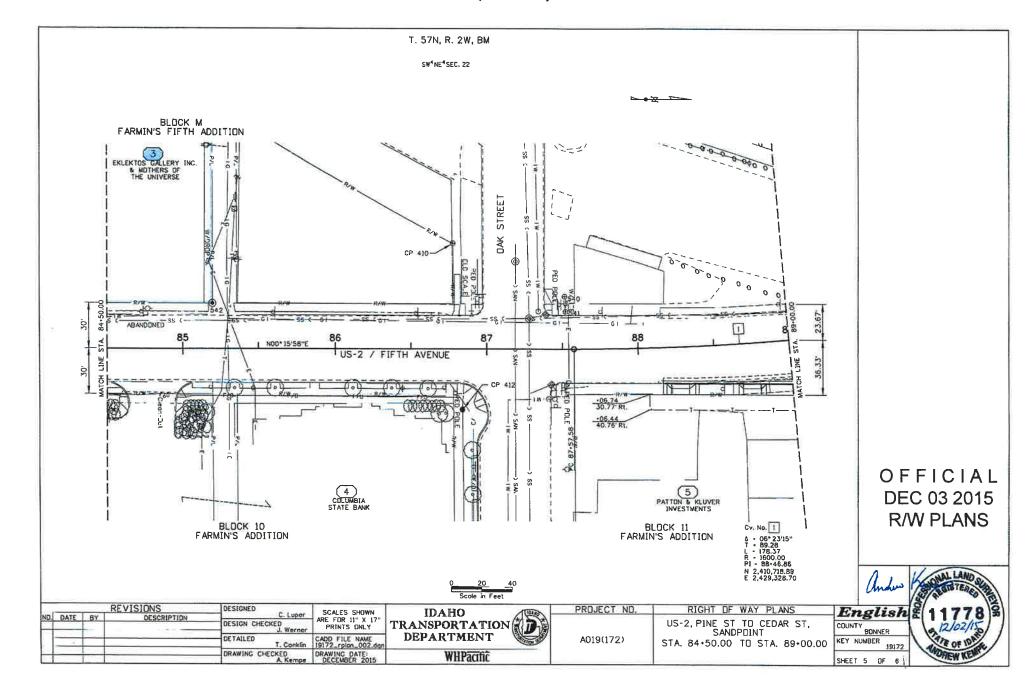


Exhibit C (6 of 6)

